

April 1, 2011

U.S. Department of Justice  
FARA Registration Unit  
600 E Street, NW – BICN Bldg.  
Room 1301  
Washington, DC 20530

To whom it may concern:

Attached is information that has been disseminated by the Podesta Group (Registrant No. 5926) on behalf of our client, the National Security Council of Georgia.

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**Mike Burns**

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**From:** John Anderson  
**Sent:** Friday, April 01, 2011 11:09 AM  
**To:** John Anderson  
**Subject:** ICJ ruling

Greetings all. Trust you have seen the ruling in The Hague. Below is the government statement and a story by CE Georgia. If you want a live quote, you can reach Tina Burjaliani, the deputy justice minister, on her cell in The Hague: +995 77 22 11 07. Cheers...John

PRESS STATEMENT FROM THE GOVERNMENT OF GEORGIA

**ICJ ACCEPTS GEORGIA'S CLAIM OVER ETHNIC CLEANSING 'DISPUTE' WITH RUSSIA**

**Negotiations must continue before Hague will consider full case against Russia**

The Hague, Friday, April 1, 2011

For immediate release

The Government of Georgia today received the Judgment of the International Court of Justice in the ongoing legal proceedings of Georgia v. Russia, regarding the Russian Federation's responsibility for ethnic cleansing of Georgian civilians, in violation of the 1965 Convention on the Elimination of Racial Discrimination.

The Government of Georgia expresses its confidence in the Court and its judges, and fully respects the Judgment. We have every confidence in the Court and that, in due course, justice will be done.

The court's ruling leaves open the possibility that once formal negotiations have been exhausted, it will have jurisdiction over the case.

Commenting on the court's decision, Tina Burjaliani, Deputy Minister of Justice, said:

"We welcome the Court's rejection of a core argument put forward by the Russian Federation that no dispute exists on the grounds of ethnic discrimination and ethnic cleansing. The court has simply ruled that – due to a procedural technicality whereby the court requires further negotiations to take place between the two sides - the proceedings will not immediately lead to further consideration of the merits of the case against Russia. However, the court has left open the possibility that the case can proceed once the formal conditions for the exercise of jurisdiction by the Court, as required by the 1965 Convention, have been met.

"For two decades Russia has pursued a policy of ethnic discrimination, which began in 1991. Since then, Georgians have been persecuted and a majority of them forcibly expelled from the regions of Abkhazia and South Ossetia. Russia and the forces under its control and authority has encouraged, contributed, and failed to prevent ethnic cleansing in these regions.

"In bringing this case to the ICJ, Georgia has no other purpose but to prevent discrimination and to allow the right of return.

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“Russia has been seeking to block this important case on technical and jurisdictional grounds in order to avoid a full and proper assessment of its responsibility for ethnic cleansing.

“The Court – and public – has heard about these terrible crimes, and we have full confidence in this respected institution and that justice will be done.

“This case is *not* about the armed conflict in August 2008; it is about the responsibility of Russia for the ongoing ethnic cleansing of Georgians over the past two decades. The issue merely crystallized during 2008.

“It remains a fact that more than 500, 000 people have been displaced over nearly two decades. Responsibility for this lies squarely at the door of the Russian Federation.

The Court has not decided the case on the merits, and Georgia remains fully committed to pursuing justice, including ensuring the right of return under the 1965 Convention.”

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Georgia Says ICJ Ruling Leaves Room for Further Legal Actions Against Russia

Civil Georgia, Tbilisi / 1 Apr.'11 / 15:55

The Hague-based International Court of Justice (ICJ) April 1 ruling is not putting an end to Georgia’s case against Russia and Tbilisi will seek to resolve “technical” problems in order to pave the way for consideration of the case on its merit by the Court, the Georgian government said.

“This case is not over with today’s hearing,” Tina Burjaliani, the deputy justice minister, who was representing the Georgian government at the hearings, said in a televised remarks from The Hague. “We are not going to stop our pursuit of justice because of coming upon a simple obstacle. We believe that this dispute should be resolved through international legal means and Russia should be held responsible for its illegal acts.”

In a written statement released shortly after the ruling was announced the Georgian government said that the ICJ’s decision “leaves open the possibility that once formal negotiations have been exhausted, it will have jurisdiction over the case.”

ICJ ruled on April 1 that “it has no jurisdiction to entertain the application filed by Georgia on the 12th of August, 2008” in which Georgia claimed that Russia violated its obligations under the 1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD) during three distinct phases of its interventions in South Ossetia and Abkhazia in the period from 1990 to August 2008.

The Court took this decision after upholding an argument by Moscow, which claimed that Georgia neither attempted to negotiate specifically CERD-related matters with the Russian Federation nor used other mode of dispute resolution contained in Article 22 before referring the case directly to ICJ on August 12, 2008.

The Court, however, rejected Russia’s another argument based on which Moscow was arguing that ICJ had no jurisdiction over the case. Russia argued that there was “no dispute” between Tbilisi and Moscow over racial discrimination against the ethnic Georgian population of Abkhazia and South Ossetia and that Tbilisi had never formally raised the issue directly with Moscow.

Rejection of Russia's this argument by the Court was applauded by the Georgian government, which said that by doing so the Court in fact left the opportunity for Tbilisi to further pursue the case once resolving procedural issues related with the Article 22.

"We welcome the Court's rejection of a core argument put forward by the Russian Federation that no dispute exists on the grounds of ethnic discrimination and ethnic cleansing," Tina Burjaliani, the Georgian deputy justice minister said.

"The court has simply ruled that – due to a procedural technicality whereby the court requires further negotiations to take place between the two sides - the proceedings will not immediately lead to further consideration of the merits of the case against Russia. However, the court has left open the possibility that the case can proceed once the formal conditions for the exercise of jurisdiction by the Court, as required by the 1965 Convention, have been met," she said.

Endit

*This email was sent by The Podesta Group, which provides representation for the country of Georgia. Additional information is available at the Department of Justice, Washington, DC.*